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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BO-IN LIN

Appeal 2011-013116
Application 09/483,317
Technology Center 2100

Before ERIC B. CHEN, ANDREW CALDWELL, and JENNIFER S. BISK,
Administrative Patent Judges.

CHEN, *Administrative Patent Judge.*

DECISION ON APPEAL

This is an appeal under 35 U.S.C. § 134(a) from the final rejection of claims 1-21, all the claims pending in the application. We have jurisdiction under 35 U.S.C. § 6(b). We affirm.

STATEMENT OF THE CASE

Appellant's invention relates to a document management system for reading a document having textual descriptions and drawings that include graphic elements having an alpha-numeral designation. The document is converted into processor-recognized elements that are searchable and linked to the graphic elements associated with a textual description. The drawing with each of the graphic elements is displayed together with the associated segment of the textual description. (Abstract.)

Claim 1 is exemplary, with disputed limitations in italics:

1. A naming-term based and graphically aided document management and review processing system implemented in a computer comprising:

a document reading processing module for reading a single document having *textual descriptions* and at least a drawing having a plurality of graphic elements wherein each of said graphic elements is assigned and illustrated with an unique alpha-numeral designation specific to the graphic element and *described with said alpha-numeral designation designating a naming term and described in said textual descriptions*, wherein said document reading processing module is further provided for converting said graphic element assigned with said alpha-numeral designation and said textual descriptions to a plurality of processor-recognized elements and incorporating said textual descriptions and said plurality of processor-recognized elements in a single processor-recognizable file;

a search and link processing module for searching within said single-processor recognizable file for linking said processor-recognized elements with said alpha-numeral designation with at least one associated segment of said textual descriptions including and describing said naming term designated by said alpha-numeral designation illustrated by said graphic element; and

a display processing module for displaying said drawing with said naming-term as designated by said alpha-numeral designation and described in said at least one associated segment of said textual

description *wherein said name term is displayed immediately and directly next to said graphic element* illustrated with said alpha-numeral designation assigned to said graphic element whereby a document reviewer can directly and graphically view and associate said graphic element together with said naming term described in said textual descriptions.

Claims 1-21 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.¹

Claims 1-21 stand rejected under 35 U.S.C. § 103(a) as being obvious over Rivette (U.S. Patent No. 5,991,780; Nov. 23, 1999), Krause (U.S. Patent No. 5,625,827; Apr. 29, 1997) and Appellant's admitted prior art.

ANALYSIS

We are unpersuaded by Appellant's arguments (Br. 6-10) that the combination of Rivette, Krause and Appellant's admitted prior art would not have rendered obvious independent claim 1, which includes the disputed limitation "textual descriptions . . . described with said alpha-numeral designation designating a naming term and described in said textual descriptions."

The Examiner found that Figure 5 of Krause, which illustrates hotspot "B," corresponds to the limitation "textual descriptions . . . described with said alpha-numeral designation designating a naming term and described in said textual descriptions." (Ans. 54, 58; Krause, Fig. 5.) We agree with the Examiner.

¹ Appellant does not present any arguments with respect to the rejection of claims 1-21 under 35 U.S.C. § 112, first paragraph. Thus, any such arguments are deemed to be waived.

Krause relates to “a computer based system and method for processing and manipulating building plans or blueprint drawings.” (Col. 1, ll. 5-7.) Figure 5 of Krause illustrates a computer screen that includes a window 65 of hotspot “B” (i.e., the claimed “alpha-numeral designation”) with the text “Soffit Vent Detail” (i.e., the claimed “naming term”), “Fixed Base Clip” and “Building Paper.” (Fig. 5; *see also* col. 9, ll. 39-41.) Therefore, Krause teaches the limitation “textual descriptions . . . described with said alpha-numeral designation designating a naming term and described in said textual descriptions.”

Appellant argues that “Krause did not show a display [of] any of the naming terms assigned by an unique alpha-numeral designation (both in the textual descriptions and to the graphic element).” (Br. 7.) In particular, Appellant argues that “[t]he terms ‘Fixed Base Clip’ and ‘SOFFIT SECTION’ as shown in Figs. 5 and 6 ARE NOT naming terms.” (Br. 9.) In addition, Appellant argues that “[s]uppose both ‘A’ and ‘65’ are alpha-numeral designations, Fig. 5 does not show a ‘naming term’ together with either ‘A’ or ‘65’.” (Br. 10.) However, the Examiner also found that the hotspot “B” of Krause illustrated in Figure 5 corresponds to the claimed “alpha-numeral designation” and that the text “Soffit Vent Detail” in Figure 5 of Krause corresponds to the claimed “naming term.” Appellant has not provided any persuasive arguments or evidence to rebut the Examiner’s findings.

Thus, we agree with the Examiner that the combination of Rivette, Krause and Appellant’s admitted prior art would have rendered obvious independent claim 1, which includes the limitation “textual descriptions . . .

described with said alpha-numeral designation designating a naming term and described in said textual descriptions.”

We are also unpersuaded by Appellant’s arguments (Br. 7, 10-11) that the combination of Rivette, Krause, and Appellant’s admitted prior art would not have rendered obvious independent claim 1, which includes the disputed limitation “wherein said name term is displayed immediately and directly next to said graphic element illustrated with said alpha-numeral designation assigned to said graphic element.”

The Examiner found that Figure 5 of Krause, in which the text “Building Paper” is located alongside the graphic of the soffit vent, teaches or suggests the limitation “wherein said name term is displayed immediately and directly next to said graphic element illustrated with said alpha-numeral designation assigned to said graphic element.” (Ans. 9, 59; Krause, Fig. 5.) We agree with the Examiner.

Figure 5 of Krause also illustrates a computer screen that includes a window 65 of hotspot “B” such that the text “Building Paper” is displayed immediately and directly next to the graphic element of a soffit vent. In other words, Krause teaches that one known graphics layout is the placement of text (e.g., “Building Paper”) immediately and directly next to the graphic of the soffit vent. Modifying Figure 5 of Krause, such that the known text “B” and “Soffit Vent Detail” is displayed immediately and directly next to the graphic element of a soffit vent, is nothing more than incorporating known text according to a known graphics layout, with no unexpected results. *See KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398, 417 (2007).

Appellant argues that “Krause did not show a display [having] any of the naming terms . . . next to the graphic element(s).” (Br. 7.) In particular,

Appellant argues that “[i]f the ‘building paper’ is a naming term, then Fig. 5 and 6 do not show that ‘building paper’ is assigned with an alpha-numeral designation.” (Br. 11.) However, Figure 5 of Krause is also relied upon by the Examiner to illustrate that one known graphics layout is placing text immediately and directly next to the graphic of the soffit vent.

Thus, we agree with the Examiner that the combination of Rivette, Krause, and Appellant’s admitted prior art would have rendered obvious independent claim 1, which includes the limitation “wherein said name term is displayed immediately and directly next to said graphic element illustrated with said alpha-numeral designation assigned to said graphic element.”

We are further unpersuaded by Appellant’s argument (Br. 13) that the Examiner improperly combined Rivette with Krause.

The Examiner concluded that “[i]t would have been obvious . . . to have modified Rivette with Krause” because “the combined image and text information would have been easier to read.” (Ans. 10.) We agree with the Examiner.

Rivette relates to “paginating, extracting, synchronizing, and displaying, a document in electronic form.” (Col. 1, ll. 18-19.) In a preferred embodiment, separate text and image files from patent documents (col. 3, ll. 31-34) “are synchronized to produce Equivalent Files using heuristic algorithms to create an approximate equivalence relationship between the text and the image files” (col. 3, ll. 39-41). Figure 35 of Rivette illustrates a user interface with an Equivalent File displayed simultaneously with an enlarged portion of a figure. (Col. 7, ll. 36-40.)

As discussed previously, Krause relates to “a computer based system and method for processing and manipulating building plans or blueprint

drawings.” (Col. 1, ll. 5-7.) In a preferred embodiment, Krause explains that blueprint drawings include graphic drawings, as well as supporting text and “[i]t is to be understood that the invention may be applicable to other types of systems with various documents.” (Col. 3, ll. 13-17.)

The combination of Rivette and Krause is nothing more than incorporating the known graphics layout from Figure 5 of Krause with the known graphical user interface for the Equivalent File of Rivette, which can be manipulated and navigated by the user. *See KSR*, 550 U.S. at 416. Therefore, we agree with the Examiner (Ans. 10) that modifying Rivette to include the graphics layout from Figure 5 of Krause would have been obvious.

Appellant argues that “[t]he natures of these two systems [of Rivette and Krause] are totally different in terms of the interests and emphases of reviewing the documents” and thus, one of ordinary skill in the art “would not . . . refer to a document review system for managing hierarchical level of building plan files relevant.” (Br. 13.) However, as discussed previously, Krause explains that although the preferred embodiment relates to the manipulation of building designs or blueprint drawings (col. 3, ll. 8-9), “[i]t is to be understood that the invention may be applicable to other types of systems with various documents” (col. 3, ll. 15-17). Therefore, the Examiner has properly combined Rivette with Krause.

Accordingly, we sustain the rejection of independent claim 1 under 35 U.S.C. § 103(a). Claims 2-6 depend from claim 1, and Appellant has not presented any substantive arguments with respect to these claims. Therefore, we sustain the rejection of claims 2-6 under 35 U.S.C. § 103(a), for the same reasons discussed with respect to independent claim 1.

Independent claims 7, 13, and 19 recite limitations similar to those discussed with respect to independent claim 1, and Appellant has not presented any substantive arguments with respect to these claims. We sustain the rejection of claims 7, 13, and 19, as well as claims 8-12, 14-18, 20, and 21, which depend from claims 7, 13, and 19, for the same reasons discussed with respect to claim 1.

DECISION

The Examiner's decision to reject claims 1-21 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

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